

Staff Variance Report  
For  
June 3, 2014 Commission Meeting

- “A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.
- “B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.
- “C” category = reserved, meaning staff believes Commission needs to discuss entirety.
- “D” category = recommendation is for denial.
- “I” category = incomplete (with permission of the Chairman).
- “NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

**Tabled Variances:**

- |          |   |  |
|----------|---|--|
| 14-05-14 | D | <p><b>Fifth Third Bank Security Entrance Vestibule (U.S. 31) – Indianapolis Project #367651</b></p> <p><i>The code requires exiting from a building without the use of a key, special knowledge or effort and does not allow passage through more than one door equipped with a delayed egress lock before entering an exit.</i> Full functioning fire alarm system will be installed to immediately release magnetic locks upon activation of system. Variance states detailed operational procedures will be offered to indicate code compliance, none received with variance. This is a critical public safety element and is a barrier to necessary and immediate exiting. <b>Tabled by proponent.</b></p> |
| 14-05-15 | D | <p><b>Fifth Third Bank Security Entrance Vestibule (W. Washington) – Indianapolis Project #367654</b></p> <p><i>Same as 14-05-15.</i> <b>Tabled by proponent.</b></p>  |
| 14-05-16 | C | <p><b>Oasis Diner – Plainfield</b></p> <p><i>The code required sprinkler system will not be installed.</i> The sprinkler system is required due to an addition of 544 sq. ft. and an existing occupant load of 128. Fire alarm system with full detection will be provided. The proponent states that there is no feasible method of providing sprinkler protection within the historic modular portion of the building. <b>Tabled by proponent.</b></p>   |
| 14-05-27 | C | <p><b>Shellbourne Conference Center Addition - Valparaiso</b></p> <p><i>The code required sprinkler system will not be installed in an R-1 occupancy addition.</i> In lieu of sprinklers, an existing wall will be utilized as a two hour fire wall. Main floor area is 5,800 sq. ft. and the second floor is 1,980 sq. ft.</p>  |

Maximum egress route is 97'9". Various ceiling heights will cause sprinkler system to be below 7' in some areas. How will the existing wall be structurally independent? **Tabled by commission for a price on 13D system.**

- 14-05-43      CI      **Tenneco North Plant West Addition – Ligonier**  
*The code requires either 60' side yards or 4 hour firewalls for an unlimited area building.* The request is to use close spaced sprinklers with a maximum of 6' on center for the full length of the north wall in lieu of the 60' side yard or 4 hour fire wall for the wall that is less than 26' from the property line. The addition will be protected with NFPA 13 system. Owner hardship involves cost of \$200,000 for a 4 hour fire wall. What is in this building? What is on the other side of the building? **Tabled by proponent.**

**New Variances:**

- 14-06-1      NVR      **Fresh Start Counseling Services- Merrillville**      Project #367592  
*Required drinking fountain will not be provided.* Request is to eliminate proposed water fountain, required per Table 29. Building is a drug and alcohol treatment facility where clients are drug tested on a regular basis. Bottle refrigerated water will be supplied to clients not tested that day and up to 8 oz. of water to clients that are being tested. The proponent states that clients will use drinking fountain to dilute urine drug test as the hardship
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- 14-06-2      B      **White Lick Commons – Danville**  
*The code required sprinkler systems will not be installed.* Apartments will be separated with a 1 hour fire separation between each unit and an NFPA 13D system will be installed. Cost to install an NFPA 13R system is approximately 50% more than a NFPA 13D.
- 14-06-3      B      **Maplecrest Apartments – Fort Wayne**  
Same as 14-06-2
- 14-06-4      B      **The Hamptons – Noblesville**  
Same as 14-06-02
- 14-06-5      B      **Atrium Village - Fort Wayne**  
Same as 14-06-02
- 14-06-6      B      **Redwood by Anson – Westfield**  
Same as 14-06-02
- 14-06-7      B      **Woodlands at Anson – Whitestown**  
Same as 14-06-02

- 14-06-8      B      **Elmwood by Redwood – Brownsburg**  
Same as 14-06-02
- 14-06-9      AI      **Walmart Neighborhood Market #6390 – Indianapolis**      Project #368370  
*Fire alarm notification appliances location will not be installed less than 6" below the ceiling.* Fire alarm notification appliances will be ceiling mounted instead of wall mounted, due to the height of the merchandise shelving in the store.
- 14-06-10      A      **522 Graham Place – Bloomington**  
*The emergency egress windows do not meet the minimum requirements of the code of record for 3 bedrooms on the 2nd floor bedrooms.* The code requires that the windows, for the structure built in 1983, are required to have a minimum clear operable area of 4.75 sq. ft., a minimum clear operable height of 24", and a clear minimum operable width of 18" and have a maximum sill height of 28". The current windows have a clear height of 23.25" which is 3/4" too short to meet code. Current existing sill height is 31".
- 14-06-11      AI      **Tom Wood Subaru – Carmel**      Project #365404  
*The code required sprinkler system will not be provided within an 86 sq. ft. vestibule.* Vestibule is part of a new 43,722 sq. ft. auto dealership. The vestibule is 3 glass walls and on 1 interior wall. The building is otherwise sprinklered throughout per the requirements for S-1. Vestibule is used for pedestrian traffic only with no combustible fuel load. There is no feasible means to provide sprinkler piping within the vestibule due to the location of structural elements in the interior doors into the vestibule.
- 14-06-12      CI      **Mental Health America of Indiana – Indianapolis**  
*Seasonal tents will be used longer than 30 days allowed by code.*  
Tent will be used from May 1st through September 30th, for events. Events are not allowed to have any open flames when serving items. Permanent structure estimated cost is between \$3,000. to \$5,000. Does the tent otherwise comply with Chapter 24 of the Fire Code?
- 14-06-13      CI      **Gary Machinery LLC - Paint Booth – Griffith**  
*The required fire suppression system will not be installed in a paint booth.* The proponent is phasing out the use of enamel paints and going to water based paint. New paint booth is a replacement for existing unit that is no longer serviceable. 2 20# fire extinguishers will be installed at the entry of the booth. Cost to install suppression system would be a financial hardship. What is the cost of the new booth? What is the cost of the suppression system?
- 14-06-14      DI      **1899 Event Center at Historic Central State – Indianapolis**  
*Code required accessible water closet will not be installed.* New renovations to an existing building will not have an accessible stall or accessible maneuvering space in the restroom. The planned toilet rooms prioritize required number of fixtures

while impacting accessibility requirement. Facility will house a large number of occupants. Hardship is negative impact on the historic space. Per the proponent, the proposed toilet layout attempts to create the least amount of conflict with existing building elements and finishes in an effort to retain as much of the overall interior building area as possible. How do the handicapped attendees get access to the restrooms?

- 14-06-15      C      **Jay County Fair – Exhibition Hall – Portland**  
*The code required sprinkler system will not be installed.* Proposed exhibition hall of 7,200 sq. ft. with occupant load of 480 will have the required egress width exceeded by 173 “. Alarm system – voice/alarm communications with emergency power will be added. Hardship is the cost to run the water supply line approximately \$25,000. and the sprinkler system cost of \$45,000. What is the total cost of the project?
- 14-06-16      C      **Southern Winds Apartments – Building 5 – West Lafayette**  
*Electrical service does not meet the code requirements.* A single building has been provided with two electrical services. The individual service entrance meters will be clearly and individually marked. The cost to re-do the electrical service to one service is estimated to cost over \$20,000. What is the total cost of the project? Why wasn't this designed according to code for this new building?
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- 14-06-17      CI      **LMO Investments - Maple City Builders – Goshen**  
*Stairs do not meet the code requirement for stair risers.* Stairs were installed to a rise of 7 1/2" instead of the code required rise of 7". There is no retail involved in the use of these steps. Hardship is that steps would need to be totally removed and replaced. Does the public have access to the spaces in this building?
- 14-06-18      DI      **8560 Broadway – Merrillville**  
*Code required sprinkler system will not be maintained per code requirements.* System has been tested and found to have leaks. Cost to repair system is estimated at \$28,890. How big is this building and how is it used?
- 14-06-19      DI      **Midwest Torah Center – South Bend**      Project #368251  
*Code required fire suppression system will not be installed.* The first floor will be demolished The new addition will be sprinklered along with a close spaced sprinkler design incorporated on both sides of all openings. *The 11'4" lineal feet of glass viewing area exceeds the maximum,* two kitchens, storage, restroom facilities, coat room and multipurpose room additions will be added on. Second story will be added on to and consist of 4 bedrooms, game room, copier room, offices, library/study and restrooms. Minimum of two fire extinguishers would be placed in public areas on each floor in view. Heat detectors will be installed in each kitchen. Imposition of the rule would result in a 20% increase in the project. Are the alternatives sufficient to offset the hazards? What is the total cost of the project?

- 14-06-20 AI **Villa Del Sol – Merrillville** Project #369779  
*Energy code compliance will not be met for the atrium. Atrium is used seasonally; it is not heated or cooled.*
- 14-06-21 CI **Chi Omega Sorority – West Lafayette**  
*Required standpipes will be removed. The building will be fully sprinklered with a NFPA 13 & 13R system. Are the standpipes required under the code of record? Does that code allow the use of the sprinkler systems instead? How big is the building?*
- 14-06-22 A **The Eiteljorg Museum – Indianapolis**  
*Seasonal shading structure will be used longer than 30 days allowed by code. Shading structure will be used for approximately 6 months for a family terrace adjacent to the museum. The mesh fabric will meet the criteria for NFPA 701. Hardship is cost to reconstruct every 30 days.*
- 14-06-23 B **Indiana Math and Science Academy Addition and Renovation – Indianapolis** Project #370441  
*Code required sprinkler system will not be installed on 2<sup>nd</sup> floor. This building is an E occupancy with Type II-B construction. This is Ivy Tech culinary school, first floor will be sprinklered. The second floor will be closed off, unheated and not used for any purpose, including storage. Second floor will be protected by August, 2014 when occupied for school use. The cost to provide sprinkler protection to the 2<sup>nd</sup> floor is \$29,800. What is the total cost of the project?*
- 14-06-24 CI **Indiana State University Science Building Renovation - Terre Haute**  
*Positive roof drainage will not be provided. 1960 building was constructed with a flat roof. The new construction is to install a new roofing system without the code required tapered insulation. Section of the roof proposed to remain in the existing flat condition has been determined by the structural engineer to be capable of supporting anticipated rainwater pooling of water. Tapered insulation will be provided for the sections found to allow standing water.*
- 14-06-25(a)(b) **Project Emerald – Garage – Fort Wayne**  
 A (a) *The Building Code requires a party wall to be vertical. The request is to allow a horizontal party wall. The garage structure is owned by the City of Fort Wayne, and the entire development is designed as a single high-rise building of Type I-B construction. Similar previously granted variances are 14-03-05(a) and 14-03-17(a).*  
 A (b) *The code required elevator lobby vestibules will not be provided for certain floors of the garage structure, which are required due to the classification as a high rise building. The building will be protected with an NFPA 13 sprinkler system. Previous similar variance was granted under 14-03-15(f).*

- 14-06-26 C **Skylane Airport Inc. - Aircraft Parking Hanger – Evansville**  
*The code required 2 hour fire resistance wall will not be installed on exterior wall that is less than 30' from the property line. 9600 sq. ft private aircraft storage building will be located 10' from the property line. Building is used solely for storage of small planes. Building will have 7 single depth bays. Hardship is that the 2 hr wall will cost \$ 16,000. Total cost of the of project is \$70,000.*
- 14-06-27 (a)(b)(c)(d) B **Regenstrief Institute New Headquarters – Indianapolis**  
 (a) *The code required stair enclosures will not be provided. Current Indiana Building Code allows stairs serving only the 1<sup>st</sup> and 2<sup>nd</sup> floor to be open. Building is 4 stories, classified as B occupancy with accessory A-3 occupancy spaces located on 1<sup>st</sup> and 2<sup>nd</sup> floors and S-1 occupancy storage rooms. Building is Type II- B construction. Building will be protected throughout with an NFPA 13 sprinkler system. Floor openings will be provided with a bulkhead a minimum of 18 " in depth with a sprinkler water curtain along the bulkhead.*  
 A (b) *A dead-end corridor of 30' will be created and the code limits the dead end to 20'. Corridor will be 30' and serving a classroom with a calculated occupant load of 64. Access to a minimum of three exists will be provided from all portions of the 2<sup>nd</sup> floor. Exit signs will be provided outside of the classroom door. Building will be protected with an NFPA 13 sprinkler system. The planned location of the rest room doors and drinking fountain adjacent to the classroom will result in the described dead end corridor.*  
 A (c) *Code required emergency showers and eyewash stations will not be provided in an S-1 occupancy area. Storage will be for administrative support and functions, no hazardous materials will be stored. Hardship is cost of providing plumbing fixtures from which there is no benefit to public safety or welfare.*  
 A (d) *Exterior metal composite panels will not be tested as part of a complete exterior wall assembly per NFPA 285 as required by the Building Code. Compliance with NFPA 285 in the proposed 2014 Indiana Building Code is not required as long as the building is protected with NFPA 13 or 13R system. Building will be protected with an NFPA 13 system.*
- 14-06-28 C **Perry County Detention Center and Sheriff's Office – Tell City**  
*The code required 12 "extension of a handrail will not be installed in two locations. The handrails terminate at the top riser, building is classified as I-3 and B occupancies, Type II-B construction. Handrails cannot be extended due to the location of the adjacent security door frame. Why were stair handrails not designed properly?*
- 14-06-29(a)(b) A **Woodland Terrace Senior Apartments – Carmel**  
 (a) *Code required fire separation from rated egress corridors to activities space and lounge areas will not be met in at least one location on each floor in a 4 story building. Building is an assisted living facility with a partial basement, classified*

primarily as an I- 1 occupancy, Type II – A construction. Building will be protected with an NFPA 13 system. Similar variances have been approved, and the openings are a small percentage of the corridor length. Having open areas to the corridors is an important feature, and provides a home-like atmosphere and promotes interaction among residents.

- B (b) *Required rated shaft enclosure for a staircase will not be provided.* Three stories of a four story building will have an open staircase exceeding twice projected area of the stair. Opening will be protected with bulkhead and close spaced sprinklers.

14-06-30  
(a)(b)(c)

**201 North Delaware Street 2<sup>nd</sup> and 3<sup>rd</sup> Floor Renovation - Indianapolis**  
Project #368024

- C (a) *The code required 12 “extension of a handrail will not be installed in one location on the third floor and does not continue for one tread depth at the bottom of the stair on the 2<sup>nd</sup> floor.* The opposite handrail in each case complies with the extension requirements. Doors in the finished construction are located in walls immediately adjacent to the stairway, not permitting the handrail extensions at this point in time. At what point and time will they comply? Why wasn’t this designed properly for new construction?
- C (b) *A code required handrail will not be installed on a flight of stairs with 8 risers connecting the 1<sup>st</sup> and 2<sup>nd</sup> floors.* One compliant handrail will be installed and the stair width is 44”. Proximity of exterior windows and other existing elements complicate the installation of a second required handrail. What are the complications?
- C (c) *The accessibility code required counter height will not be met.* The kitchenette island is used in a “break area” and will not be used to prepare meals. The kitchenette is completed. Why was the kitchenette not designed to code?

14-06-31

- B **Old Town Oak – Topeka**  
*Code required sprinkler system will not be installed.* A dust collection system meeting the requirements of NFPA 664 (1998) will be installed. Cost to install a sprinkler system is approximately \$ 125,000.

14-06-32  
(a)(b)

**Brownstown Central High School - 2014 Safety and Security Improvements – Brownstown**  
Project #371257

- BI (a) *Fire wall will have openings greater than permitted by code.* The 11’4” lineal feet of glass viewing area exceeds the maximum 25% opening limitation and the 120 sq. ft. limitation.
- BI (b) *The code requires fire walls to be structurally independent.* The request is to use a 2-hr fire barrier to separate an addition that will make the building over area. The new addition will be sprinklered along with a close spaced sprinkler design incorporated on both sides of all openings.

14-06-33

- B **Mast Woodworking – Nappanee**

*Code required sprinkler system will not be installed. A dust collection system meeting the requirements of NFPA 664 (1998) will be installed. Building is located in a rural setting. Cost to install a sprinkler system is approximately 1/3 of the total cost to construct building.*

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|----------|----|--|------------------|
| 14-06-34 | A  | <b>Lilly K105A and K105B – Indianapolis</b>  | Project # 359651 |
|          |    | <i>The accessibility code requirements for toilet rooms and showers will not be met. Per proponent, the toilet facilities and shower facilities will only be used by ambulatory workers and there is no practical application for accessible faculties to be extended into these portions of the building.</i>   |                  |
| 14-06-35 | CI | <b>McCordsville Office Renovation – McCordsville</b>   | Project # 367966 |
|          |    | Application not complete.  |                  |
| 14-06-36 |    | <b>The Overlook at Notre Dame #2 – South Bend</b>  |                  |
| (a)(b)   | AI | (a) <i>Code required suspension means will not be installed on machine room less elevator. 8 mm ropes will be installed in lieu of 9.5mm. Elevator is compliant with the 2010 edition of A17.1, which has not been adopted in Indiana. Similar variances have been granted before.</i>   |                  |
|          | AI | (b) <i>The code required governor rope will not be installed on a machine room less elevator. The technology uses a 6 mm diameter governor rope in lieu of 9.5 mm , which is permitted in the 2010 edition of A17.1, which has not been adopted in Indiana. Elevator is only designed for use with this governor rope. Similar variances have been granted before.</i>   |                  |
| 14-06-37 |    | <b>The Overlook at Notre Dame #1– South Bend</b>   |                  |
| (a)(b)   |    | Same as 14-06-36   |                  |
| 14-06-38 |    | VOID   |                  |
| 14-06-39 |    | VOID   |                  |
| 14-06-40 | B  | <b>Townhomes at Park Meridian-Buildings 10 &amp; 11 - Indianapolis</b>   | Project #371177  |
|          |    | <i>The sanitary sewer line required to be located within the property lines that define the location of each townhouse, will not be met.</i>   |                  |
|          |    | The proponent states there will be one sanitary sewer lateral serving one building, which consists of more than one townhouse. There are existing townhouses in the development already constructed this way. The proponent advises that there is a written and binding recorded easement that exists which allows access to all portions of the sewer line that serves each townhouse in a building. It would be cost prohibitive to implement this upon new construction in an existing development. |                  |
| 14-06-41 | AI | <b>Tate and Lyle Reactor Tank Addition – Lafayette</b>   | Project #370816  |



*A reactor tank enclosure addition will not be provided with fixtures as required by Table 29. The proponent advises the building does not have potable water and is just an equipment enclosure that uses water for process only. If this was a free standing building, it would comply with the April 18, 2014 "Commission's nonrule policy". The hardship is having to comply with Table 29 when there is no potable water supply source.*

14-06-42      BI      **Clifton Square – Indianapolis**      Project #365249  
*A new senior apartment project has a bridge connector that will not have the required opening protection as shown in Section 3104.5 of the 2008 Indiana Building Code. The proponent advises the building and the walkway will be protected with an automatic fire suppression system per NFPA 13, with close spaced sprinklers located a maximum of 6'0" on center at each end of the walkway entrances. The proponent states there have been variances approved in the past for this issue. The hardship is the cost and difficulty to provide protected openings and comply with the maximum 25 percent opening limitation.*

14-06-43(a)(b)      **Greenfield Crossing Shops/Wings Etc. – Greenfield**  
 BI (a) *An existing tenant space will undergo a change of occupancy to an A-2 occupancy of 4,748 sq ft. A chapter 34 evaluation has been completed with passing scores for this space only, not the entire building as required by code. The proponent advises there is an existing 2-hour fire resistive area separation wall, and a new 2-hour fire barrier will be added, separating the space from the remainder of the building. This space will be the boundary of the Chapter 34 evaluation. The space will have smoke detection throughout. Variances have been approved in the past for this issue. The Indiana amendments deleted Section 3410.2.2, which would have permitted the change of occupancy only with separations prescribed in Table 508.3.3.*  
 BI (b) *The A-2 change of occupancy will be over allowable area for type V-B construction. The proponent advises the building is compartmented with two existing 2-hour area separation walls that were designed to separate the building into separate buildings under the Uniform Building Code. The walls are not structurally independent as would be required by the 2008 Indiana Building Code. A new 2-hour fire barrier will be added. With the existing 2-hour area separation wall locations, the building would comply with allowable area for Type V-B construction including the additional A-2 occupancy, if the existing area separation walls are permitted to create separate buildings. The hardship is the issue that area separation walls are no longer accepted based upon the lack of structural independence that was not required under the Uniform Building Code.*

14-06-44      A      **Rose-Hulman Institute of Technology Concession Stand and Restrooms – Terre Haute**

*A 798 sq ft concession stand and restroom building with a laundry room will not comply with the Energy Code. Full compliance with the Energy Code is required, based upon the building being minimally heated for a limited time during the spring and fall seasons. The proponent advises a furnace will be used to provide minimal heat during games in the early spring and late fall. The building will not be used in during the winter and there will be no cooling provided at any time. Similar variances have been approved in the past.*

- 14-06-45      A      **Keenan-Stahl Boys and Girls Club Addition – Indianapolis**  
*The existing 1-story building and the addition to the Boys and Girls Club will exceed the allowable area by 10%. The proponent states there is an existing 2-hour area separation wall between the gym (5,863 sq ft) and the school (17,477 sq ft), but can't confirm that the wall meets the requirement of Section 705 of the 2008 Indiana Building Code. The addition is a 1,537 sq ft lunch room and kitchen. The entire building with the addition would be within the allowable area if the existing 2-hour area separation wall complied with Section 705 of the 2008 Indiana Building Code. There is a fire alarm system in the existing building and will be provided in the new addition as required by code. The travel distance is 103 feet to the exterior, while the code permits 200 feet. The addition does not increase the travel distance because there's a direct exit to the exterior from the lunch room. The hardship is providing a \$41,400 3-hour structurally independent fire wall between the existing building and the addition. The project cost is \$235,000.*
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- 14-06-46      C      **The Stables – Bloomington**  
*The request is for a private barn to change to an A-2 occupancy with a passing score on Chapter 34. Building is one story Type V-B construction approximately 4900. sq. ft. Barn is being converted to an event center. There are three exits to the exterior, with a clear exit width of 96'.*
- 14-06-47      NVR      **Selah House – Anderson**  
*Variance 09-03-22 limited the number of patients to 8. The General Administrative rules require alterations and additions to an existing building to be done in accordance with the current rules of the Commission. The request is to allow the alterations and additions to be done in accordance with the residential code, which the current Building Code permits. But the code of record did not. Is a variance required to use the Residential Code?*
- 14-06-48      C      **Solana Point Assisted Living – Indianapolis**  
*Code required accessible sinks will not be mounted per the code. This property is an assisted living facility, and sinks are mounted on standard base cabinets at a height of 36", and code requires them to be mounted at 34". The sinks in question are provided for use by staff only. Why were these sinks not installed to code requirements in new construction?*

- 14-06-49  
(a)(b) BI **University of Notre Dame Multidisciplinary Research Building – Notre Dame**  
(a) *The required rated shaft enclosure for a staircase will not be provided.* Three stories of a four story building will have an open staircase. Opening will be protected with bulkhead 18 “ in depth at the ceiling level with a sprinkler water curtain along the bulkhead. The use of an open stair is desired to enhance pedestrian circulation between floors.
- AI (b) *The mechanical penthouse on the roof will exceed the permitted 1/3 area allowed by code.* Actual roof area is 45,470 sq. ft., so penthouse will be 68% of roof area at 31,270 sq. ft. The new research facility is B occupancy and will be Type II-A construction. The building will house research labs and lecture hall in the basement. The building will be sprinklered throughout with an NFPA 13 system including penthouse.
- 14-06-50 CI **Benteler Automotive Corp - Goshen**  
*The required 60’ clear area on all sides of building will not be met for an unlimited area building.* Building is classified as an S-2 and F-2 and is fully sprinklered. The proposed S-2 addition will encroach into the required 60’ clear setback area. The construction of a 4 hour rated firewall 660’ in length and 32’ tall along the south property line would cost in excess of \$230,000, and the proposed addition is less than that. What is in the building and what is adjacent to the property?
- 14-06-51 C **1894 Lodge Expansion – New Washington** Project # 367700  
*Code required sprinkler system will not be installed.* Building is an existing three story school house with a restaurant on the first floor, with a seating capacity of 80. Addition of approximately 1320 sq. ft. will not be sprinklered. Top two floors are used for storage. Addition will be an outside storage shed/ outdoor eating area.
- 14-06-52  
(a)(b) CI **Westminster Village Independent Living – West Lafayette**  
(a) *Request is to use an occupant load of 100 in lieu of the permitted calculated occupant load for a roof top terrace of an assisted living facility.* Calculated occupant load is 687 with a useable area of 4,815 sq. ft. Building is 3 stories with a connected enclosed garage and roof top terrace. Calculated occupant load would require a 3<sup>rd</sup> stair. Will the limits be posted on the terrace?
- BI (b) *Code required travel distance will be exceeded by 65’.* Travel distance of 115’ will be allowed in the proposed 2014 Building Code in a building that is sprinklered with an NFPA 13R system.
- 14-06-53 CI **Van Drunen Farms – Crown Point Indiana**  
*The required 60’ clear area on all sides of building for an unlimited area building will not be met.* Building is an F-1/B occupancy and the west wall will be 25’ – 27’ from the property line. Building is two stories Type II-B construction. 1st floor is 71,371 sq. ft, and the second floor is 7, 704 sq. ft. The building is an addition to an existing S-2 occupancy of Type II-B construction. The existing building is sprinklered throughout and will be separated by a 3 hour fire wall

New addition will be sprinklered with an NFPA 13 system. What is in the building and what is on adjacent property?

- 14-06-54      B      **Brownsburg East Middle School – Seclusion Room – Brownsburg**  
*School will not have door that is “readily openable from the egress side without the use of a key or special knowledge or effort” as required by code. The proponent advises the school’s special education program will have a door where a staff member holds a lockset lever up to latch the door when student is in the room. In the lockset’s normal position, without operation of the lever, the latch is retracted and the door is free to swing out providing egress. The building is fully sprinklered, has a monitored fire alarm system, and the door swings out of the time out space. A similar variance has been granted in the past.*
- 14-06-55      B      **Brownsburg West Middle School – Seclusion Room – Brownsburg**  
Same as 14-06-54
- 14-06-56      B      **Brownsburg High School – Seclusion Room – Brownsburg**  
Same as 14-06-54
- 14-06-57      B      **Delaware Trail Elementary School – Seclusion Room – Brownsburg**  
Same as 14-06-54
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- 14-06-58      AI      **The McCurdy Apartments – Evansville**  
*The apartment complex will not have any Type A units as required by code. All units will be constructed as Type B units. The proponent advises the 2014 Indiana Building Code will permit certain R-2 occupancies to be constructed as all Type B units without creating Type A units, in compliance with Federal Fair Housing Act.*
- 14-06-59      BI      **Westminster Village Assisted Living Building C Addition – West Lafayette**  
*The 1-story addition to the I-1 assisted living facility, Type II-A construction, will have a skylight located within 7’5” of the fire wall in the lower roof adjacent to the fire wall. The code prohibits openings located in the roof within 10 feet of a fire wall when utilizing the exception to Section 705.6.1 of the 2008 Indiana Building Code, which permits the fire wall to terminate at the lower roof where separating buildings of different roof heights. The proponent advises there will be an NFPA 13 sprinkler system on each side of the fire wall and the sprinkler system will be provided within the skylight. The hardship is the skylight is needed to bring natural light into the activities space in the addition.*

- 14-06-60 CI **U.S. Steel No. 2 Boiler House Elevator Modernization – Gary**  
*A fire alarm initiating device will not be installed as required by code.* The proponent advises the conditions of the structure will prevent the operation of a working device due to the fact that there are a number of floors that are constructed with open grating. The hardship is the structure was not constructed with separate fire-rated floors.
- 14-06-61 CI **Holding Barn Restoration – Yorktown** *Project #371206*  
*The code required sprinkler system will not be provided in this A-2 occupancy used for weddings, receptions, banquets, etc.* The proponent advises there will be a 1,000 sq ft addition added to the 2,020 existing Class 2 structure of Type V-B construction. The existing building is being evaluated using Chapter 34 for a change in use from a Class 2 structure to an A-2 occupancy. The proponent advises the following: smoke detection will be provided throughout the building, shunt trip will be provided to turn off music when the fire alarm is activated, maximum travel distance to an exit is 64 feet, (code permits 200 feet), clear exit width provided is 128", (which accommodates an occupant load of 640), and the existing building passes Chapter 34 without providing a sprinkler system. The hardship is there is no city water available since this is in a rural area.
- 14-06-62 (a)(b)(c) CI **Indianapolis Racquet Club Storage Mezzanine - Indianapolis**  
 (a) The 2,600 sq ft storage mezzanine addition will not comply with code for openness requirements for a mezzanine. The proposed enclosed mezzanine and the existing 8,500 sq ft enclosed mezzanine do not comply with any of the exceptions for mezzanine enclosures. The proposed storage mezzanine will be located above the chain-link enclosed center aisle between rows of 16 tennis courts of a 108,570 sq ft participant tennis area. The proponent advises the following: The proposed mezzanine will have less than 10 occupants, will not normally be occupied, will not increase the occupant load of the building, and will be used to store shirts, shoes, and other items sold in the pro shop. The mezzanine will not be used by the public.
- AI (b) The proposed 2,600 sq ft storage mezzanine will have a maximum egress travel distance of approximately 225 feet. The code limit is 200 feet.
- CI (c) The proposed 2,600 sq ft storage mezzanine will increase fire area to a building required to be provided with sprinkler protection in other than participant sport areas per code. The proponent advises the storage area will be separated from the remainder of the building with a 1-hour separation and the current storage is scattered throughout the building. The mezzanine will be used to replace the current mode of storage elsewhere in the building. The hardship is the building is on a well with limited water supply.

14-06-63  
(a)(b)(c)

**Clark Middle School Concession Building – St. John**

- BI (a) *The concession building will not have enough restrooms as required by code, based on the 1,200 bleachers that were installed in 2012.*  
The bleachers will be used for track meets and football games while the high school is under construction from 2012-2015. The proponent advises the facilities provided will be more than adequate for the expected uses and attendance of 500. Section 2902 of the 2008 Indiana Building Code permits plumbing fixtures to be based upon the “actual or anticipated” occupant load in lieu of a calculated occupant load. Portable facilities can be provided for every occasional use involving a greater number of people. The hardship is the cost for additional fixtures for very minimal events exceeding the planned occupant loads.
- BI (b) *The concession building will not be designed to comply with the Energy Code.*  
The proponent advises small heating units will be provided for minimal heating intermittently during the seasonal periods. The building will not be used during the winter, will not be heated when not in use, and there will be no cooling provided at any time. Similar variances have been granted in the past. The hardship is the cost to provide a fully compliant design to meet the Energy Code for a building with very minimal energy usage.
- A (c) *The storage room of the concession stand will not be provided with an emergency shower and eyewash station.* The room will store athletic equipment and grounds maintenance equipment. The hardship is the cost to provide plumbing fixtures providing no benefit to public safety and welfare. Why is this required for an accessory use that is not a separate S occupancy?
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14-06-64(a)(b)

**Finnie’s Next Door – South Bend**

Project #370320

- CI (a) *An existing 16-inch masonry wall located on the property line between an existing II-B building being converted from a 2-story with basement bank to a bar/restaurant, and the adjacent property, is not constructed per current code.* The wall will be used as the required party wall (fire wall) for the purpose of establishing “building area” per the Chapter 34 analysis. The wall does not comply with all requirements of a fire wall such as, vertical termination (9” above the roof instead of 30”) and structural stability. The proponent advises the wall is solid 16” masonry with no openings, wall extends vertically and horizontally beyond the limits of the building, adjacent property has a masonry exterior wall immediately adjoining the party wall, and the building will be protected throughout with an automatic sprinkler system. The hardship is the cost of constructing a new party wall.
- BI (b) *An existing 3-story stair will not be fully enclosed with fire barrier as required by code.* The stair will be used as a means of egress for the basement and 2<sup>nd</sup> floor levels and the design will comply with Section 1009.3, exception 4, of the 2012 International Building Code. There are 2-hour shaft enclosures in other parts of the building. Therefore, a complying score for vertical openings will be used per Section 3410.6.6. The proponent advises the building will be protected throughout with an automatic sprinkler system. A 2-hour wall with 90-minute doors will be provided between the basement and the 1<sup>st</sup> floor and an 18-inch bulkhead with sprinklers will be provided to protect the opening between and the 1<sup>st</sup> floor and 2<sup>nd</sup>

floor. The hardship is the available space to install doors at the 1<sup>st</sup> and 2<sup>nd</sup> floor levels.

14-06-65

**Pal Trailer Leasing Hydrant**

Pending.

14-06-66

(a)(b)(c)

B

**Indianapolis Zoo Orangutan Exhibit – Indianapolis**

*(a) Drinking fountains will not be provided for the new orangutan exhibit.*

Existing facilities for the public are located approximately 400 feet from the entrance to the interior exhibit area. The hardship is there's not enough space available for plumbing facilities.

A

*(b) The code requires the front of sinks to be a maximum of 34" above the floor.*

The sink contains a water stop lip which violates the section. The proponent advises the space is used by employees who work with the mammals and the employees are required to be able bodied. The hardship is the work on the facility is complete and additional modifications to the space will provide a fiscal hardship.

A

*(c) An accessible bench will not be provided for employee locker rooms as required by code.* The employees are required to be able bodied since they will be working with the mammals. The hardship is the work on the facility is complete.

14-06-67

CI

**Kentucky Truck Sales-2014 Shop Addition – Jeffersonville**

*An existing 15,220 sq. ft., Type II-B unsprinklered, S-1 truck repair garage with a two-story office will have an approximately 7,332 sq. ft. addition, without the code required 3-hour fire barrier.* The proponent advises the addition will be separated by a non-combustible, non-rated wall. The entire building except, the office area, will be sprinklered with an NFPA 13 system. The office is already separated from the shop with an existing 5/8" type "X" gypsum board partition. The hardship is upgrading the existing non-combustible exterior wall to a 3-hour fire barrier. What is the cost to upgrade?

14-06-68

CI

**Southside Tobacco – Indianapolis**

Project #370777

*A 1,400 sq. ft. A-2 occupancy (bar)tenant space will be changed to an M occupancy (tobacco shop), without complying with the rules for new construction or without using Chapter 34 for evaluating the change of use.* The project was filed with Plan Review, but was not identified as a change of use. The hardship is having to re-file the project with the state and losing revenue, since the tenant wanted to move into this space May 16<sup>th</sup>. In what ways does it not comply with the current rules for new construction?

